

AMENDMENTS TO THE DRAWINGS

Please amend Figure 2 as provided in the replacement sheet illustrating amended Figure 2. No new matter is presented.

REMARKS

Claims 1 and 3 are currently pending. Claims 1 and 3 are currently amended. Claim 2 is cancelled. Figure 2 is amended. No new matter has been added by this amendment. In view of the above amendments and the following remarks, Applicants submit that the presently pending claims are in condition for allowance and notification of such is respectfully requested.

In The Drawings

Applicants submit replacement Figure 2 to overcome an error in the previously filed Figure 2. The amendments to Figure 2 are not new matter. The line connection between element 9 and 8 is illustrated. This connection was not mistakenly omitted in the previously filed Figure 2.

Rejection Based On Nageno Under 35 U.S.C. § 102 (b)

The Examiner rejects Claims 1-3 under 35 U.S.C. § 102 (b) as being anticipated by Nageno. Applicants respectfully traverse this rejection.

Amended claim 1 recites a rear volume that is the volume between the reproduction system and an outer housing part, that a channel with an acoustic resistor connects the front and the rear volume, so that the exit of the channel is arranged in the volume between the reproduction system and the plane of the sound outlet aperture and that the acoustic resistor is arranged behind the plane of the transducer.

Nageno discloses a headphone apparatus having an acoustic unit for converting an audio signal to an acoustic sound, a supporting structure for supporting the acoustic unit keep a predetermined distance to the ear of a listener. Nageno also discloses an acoustic equalizer provided in front of the acoustic unit for transferring the sound wave output from the acoustic equalizer to the ear of the listener after correcting the frequency characteristic. More specifically, Nageno discloses a reproduction system having reference numerals 11-15 that are arranged inside the housing between the reproduction system and the head of the wearer of the headphones. The first volume in Nageno extends from the reproduction system to the ear of a wearer of the headphones and is limited by a part of the housing 15. A second volume in Nageno is present between the part 51, the ear cushions 4 and the ear of a wearer of the headphone. Accordingly, Nageno discloses that both the first and second volume is

arranged in an area between the reproduction system and the ear of a wearer of the headphones.

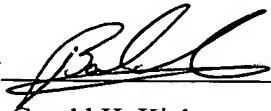
It is respectfully submitted that Nageno fails to teach or suggest all the features recited in amended claims 1 and 3. Specifically, Nageno fails to teach or suggest a rear volume which corresponds to a volume enclosed in the reproduction system and the outer housing portion of the headphone. In addition, Nageno does not teach or suggest providing a channel situated adjacent to the reproduction system, wherein an acoustic resistor is arranged inside the channel. Nageno merely discloses providing acoustic resistors behind the place of the sound outlet aperture. Thus, there is not suggestion or teaching in Nageno for arranging the resistors behind the plane of the reproduction system with respect to the front volume. In addition, Nageno does not teach providing an exit of the channel in a volume between the reproduction system and the plane of the sound outlet aperture. Furthermore, Nageno does not teach or suggest providing a channel for connecting a front volume with a rear volume, wherein the rear volume corresponds to a volume enclosed by the reproduction system and the outer portion of the housing.

It is further submitted that Nageno does not teach or suggest a channel between the volume which is enclosed by the outer portion of the housing 3 and the reproduction system and a volume being formed by the reproduction system, the ear cushions and the ear of a wearer. Finally, Nageno does not teach or suggest an acoustic resistor in a channel behind the plane of the reproduction system as seen from the front volume.

The claimed invention provides features and advantages that are neither taught nor suggested by Nageno. Nageno does not provide advantages provided by having an exit of the channel being arranged in the volume between the reproduction system and the plane of the sound outlet aperture, so that the cross section of the channel will not depend on any external influences as it is arranged behind the sound outlet aperture. In view of the amendments to claims 1 and 3, Applicants respectfully submit that Nageno fails to teach or suggest all the features recited in claims 1 and 3. Therefore, Applicants request the withdrawal of the rejection of claims 1 and 3 under 35 U.S.C. 102(b).

"In view of the remarks presented herein, it is respectfully submitted that the present application is in condition for final allowance and notice to such effect is requested. If the Examiner believes that additional issues need to be resolved before this application can be passed to issue, the undersigned invites the Examiner to contact him at the telephone number provided below.

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By  Reg. # 50,900
for Gerald H. Kiel
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